

their devotion, by their fortitude, and a deep and strong and enduring sense of independence.

Here in the Senate, both Democrats and Republicans from Texas have had the honor of reading the fabled Travis letter over the years. This tradition actually goes back to Senator John Tower, who began his career in the Senate in 1961. I am glad that tradition continues today to ensure that the words of William Barret Travis live on and that generations of Texans and Americans can appreciate the courage and sacrifice they demonstrated at that time.

So, today, I would like to express my gratitude for these Texas patriots, many of whom would later serve in the U.S. Congress, including Sam Houston, whose Senate seat I am honored to now occupy. Their courage and sacrifice will never be forgotten.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

NOMINATION OF GORDON P. GALLAGHER

Mr. BENNET. Mr. President, I wanted to come to the floor and share a few words about an upcoming vote we are going to have this afternoon. I guess it will be now, on Gordon Gallagher, President Biden's nominee for the U.S. District Court for the District of Colorado.

Judge Gallagher comes to this floor with a stellar reputation in Colorado and nearly 25 years in service to others, as a defense attorney for both indigent and paying defendants, a prosecutor in Mesa County, and as U.S. magistrate judge for the District of Colorado.

The judge credits his devotion to public service to his grandfather, who served as an air navigator during the Second World War and was shot down over Eastern Europe on his 49th mission. After the war, Gordon's grandfather came home to continue the fight for America's highest ideals, working to integrate housing in his local community.

And his example stuck with Gordon. So when he did a family trip to Colorado when Gordon was just 8 or 9, like everybody who comes to our State, he fell in love with it and fell in love with the Rocky Mountains. And years later, as a student at Macalester, he fell in love with a Coloradoan, his wife Christine. Gordon would eventually follow Christine back to Colorado, where he earned a law degree from the University of Denver.

After graduating, Gordon practiced at a law firm representing small businesses and served for nearly 4 years as a deputy district attorney for Mesa County, CO. Later, Gordon launched his own firm as a defense practitioner and began working with the Office of the Alternate Defense Counsel, representing clients who couldn't afford their representation. He spent over a decade in this role, fighting for the American ideal that everyone, no matter what their means, deserves equal

representation before the law. In 2012, Gordon was appointed as a part-time magistrate judge for the U.S. District Court for the District of Colorado, a position he holds to this day.

Senator HICKENLOOPER and I recommended Judge Gallagher to this position because, unlike anyone currently on the district court, he has spent the majority of his career on the Western Slope of Colorado, a rural, mountainous part of our State with a specific perspective on issues that range from public lands to natural resources, to Federal regulation.

We need that perspective on the Federal bench. It has been too long. We haven't had an appointee from the Western Slope of Colorado in over 30 years, and Judge Gallagher is the perfect nominee to bring that perspective to the bench.

Over his career on the Western Slope, Gordon's work ranged from representing a young man charged with the manslaughter of his best friend to securing rehabilitative services for members of the Southern Ute and Ute Mountain Ute Tribes, to hearing traffic complaints in smalltown courts because sheepherders had blocked the local highway.

I know I am not saying anything that the Presiding Officer hasn't seen in New Mexico.

And, as a presiding judge, Gordon has presided over most stages of a felony docket, from substantive motions through pleas, postconviction proceedings, and sentencing—a level of participation in Federal criminal cases far beyond a typical magistrate judge.

He has also worked on a vast array of issues including criminal, civil, patent, pro se, and environmental litigation, including many cases with difficult tradeoffs between natural resource extraction, conservation, and recreation.

These issues are common for the U.S. District Court for Colorado, and they require someone with Judge Gallagher's deep and direct experience. More than that, everyone we have spoken with tells us how much Judge Gallagher enjoys being on the court and how he cherishes the opportunity to serve our country, just like his grandfather.

Judge Gallagher's entire career has prepared him for this position. He has proven his character, his integrity, and his legal acumen over a distinguished 25-year career. He has my full and enthusiastic support.

I want to thank my fellow colleagues on the Judiciary Committee for advancing his nomination with overwhelming bipartisan support. They saw what an exceptional judge he would make, and I wholeheartedly agree. I hope we will have a large bipartisan vote to support Judge Gallagher in his confirmation.

I yield the floor.

VOTE ON LAWLESS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lawless nomination?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Louisiana (Mr. KENNEDY), and the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 51, nays 41, as follows:

[Rollcall Vote No. 37 Ex.]

YEAS—51

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Reed |
| Bennet | Hickenlooper | Rosen |
| Blumenthal | Hirono | Sanders |
| Booker | Kaine | Schatz |
| Brown | Kelly | Schumer |
| Cantwell | King | Shaheen |
| Cardin | Klobuchar | Sinema |
| Carper | Lujan | Smith |
| Casey | Manchin | Stabenow |
| Collins | Markey | Tester |
| Coons | Menendez | Tillis |
| Cortez Masto | Murkowski | Van Hollen |
| Duckworth | Murphy | Warner |
| Gillibrand | Murray | Warnock |
| Graham | Ossoff | Warren |
| Grassley | Padilla | Welch |
| Hassan | Peters | Wyden |

NAYS—41

| | | |
|-----------|------------|------------|
| Barrasso | Fischer | Ricketts |
| Blackburn | Hagerty | Risch |
| Boozman | Hawley | Romney |
| Braun | Hoeben | Rounds |
| Britt | Hyde-Smith | Rubio |
| Budd | Johnson | Schmitt |
| Capito | Lankford | Scott (FL) |
| Cassidy | Lee | Scott (SC) |
| Cornyn | Lummis | Sullivan |
| Cotton | Marshall | Thune |
| Cramer | McConnell | Vance |
| Cruz | Moran | Wicker |
| Daines | Mullin | Young |
| Ernst | Paul | |

NOT VOTING—8

| | | |
|-----------|-----------|------------|
| Crapo | Fetterman | Tuberville |
| Durbin | Kennedy | Whitehouse |
| Feinstein | Merkley | |

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Mazie Hirono, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Gary C. Peters, Angus S. King, Jr., Alex Padilla, Tim Kaine, Brian Schatz, Cory A. Booker.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kentucky (Mr. PAUL), the Senator from North Carolina (Mr. TILLIS), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have voted "yea."

The yeas and nays resulted—yeas 50, nays 41, as follows:

[Rollcall Vote No. 38 Ex.]

YEAS—50

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Reed |
| Bennet | Hickenlooper | Rosen |
| Blumenthal | Hirono | Sanders |
| Booker | Kaine | Schatz |
| Brown | Kelly | Schumer |
| Cantwell | King | Shaheen |
| Cardin | Klobuchar | Sinema |
| Carper | Lujan | Smith |
| Casey | Manchin | Stabenow |
| Collins | Markey | Tester |
| Coons | Menendez | Van Hollen |
| Cortez Masto | Murkowski | Warner |
| Duckworth | Murphy | Warnock |
| Gillibrand | Murray | Warren |
| Graham | Ossoff | Welch |
| Grassley | Padilla | Wyden |
| Hassan | Peters | |

NAYS—41

| | | |
|-----------|------------|------------|
| Barrasso | Fischer | Ricketts |
| Blackburn | Hagerty | Risch |
| Boozman | Hawley | Romney |
| Braun | Hoeben | Rounds |
| Britt | Hyde-Smith | Rubio |
| Budd | Johnson | Schmitt |
| Capito | Kennedy | Scott (FL) |
| Cassidy | Lankford | Scott (SC) |
| Cornyn | Lee | Sullivan |
| Cotton | Lummis | Thune |
| Cramer | Marshall | Vance |
| Cruz | McConnell | Wicker |
| Daines | Moran | Young |
| Ernst | Mullin | |

NOT VOTING—9

| | | |
|-----------|-----------|------------|
| Crapo | Fetterman | Tillis |
| Durbin | Merkley | Tuberville |
| Feinstein | Paul | Whitehouse |

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 50, the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 1:45 p.m.

Thereupon, the Senate, at 1:21 p.m., recessed until 1:45 p.m. and reassembled when called to order by the Presiding Officer (Mr. PETERS).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan.

VOTE ON GREY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Grey nomination?

Mrs. BLACKBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Oklahoma (Mr. LANKFORD), and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 49, nays 42, as follows:

[Rollcall Vote No. 39 Ex.]

YEAS—49

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Reed |
| Bennet | Hickenlooper | Rosen |
| Blumenthal | Hirono | Schatz |
| Booker | Kaine | Schumer |
| Brown | Kelly | Shaheen |
| Cantwell | King | Sinema |
| Cardin | Klobuchar | Smith |
| Carper | Lujan | Stabenow |
| Casey | Manchin | Tester |
| Collins | Markey | Van Hollen |
| Coons | Menendez | Warner |
| Cortez Masto | Murkowski | Warnock |
| Duckworth | Murphy | Warren |
| Gillibrand | Murray | Welch |
| Graham | Ossoff | Wyden |
| Grassley | Padilla | |
| Hassan | Peters | |

NAYS—42

| | | |
|-----------|---------|-------|
| Barrasso | Boozman | Britt |
| Blackburn | Braun | Budd |

| | | |
|---------|------------|------------|
| Capito | Hyde-Smith | Rounds |
| Cassidy | Johnson | Rubio |
| Cornyn | Kennedy | Schmitt |
| Cotton | Lee | Scott (FL) |
| Cramer | Lummis | Scott (SC) |
| Cruz | Marshall | Sullivan |
| Daines | McConnell | Thune |
| Ernst | Mullin | Tillis |
| Fischer | Paul | Tuberville |
| Hagerty | Ricketts | Vance |
| Hawley | Risch | Wicker |
| Hoeben | Romney | Young |

NOT VOTING—9

| | | |
|-----------|-----------|------------|
| Crapo | Fetterman | Moran |
| Durbin | Lankford | Sanders |
| Feinstein | Merkley | Whitehouse |

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The senior Senator from Mississippi.

U.S. ARMED FORCES

Mr. WICKER. Mr. President, our Nation is once again in an age of great power conflict. It is a dangerous time for this country, for our military, and for our citizens.

The mission of the U.S. military is to deter and, if necessary, win real wars, not engage in culture wars. And so I rise this afternoon to say that this administration's current diversity, equity, and inclusion program is not only unnecessary but harmful to our military and to our national security.

But, first, let me do a quick history lesson. Eighty years ago, our country was pitted against fascist foes from three continents. Our "greatest generation," my father among them, answered the call to arms and defended the world against an evil autocrat. Back then, the military was not what it should be. Our ranks were segregated. But a group of fearless African-American airmen challenged the conscience of the military and the Nation and paved the road to change.

In early 1943, the Tuskegee Airmen were making the final preparations to deploy to North Africa and later to Italy to take on the Axis war machine. They made history as the first African-American combat pilots, and they served with honor and distinction.

Their actions are now the stuff of popular film and literature, and they are a cornerstone of American culture. But the valor of the Tuskegee Airmen did not just appear overnight. John C. Robinson, a native son of my home State of Mississippi, spent a decade laying the groundwork for the airmen's future heroism. Born to a Pullman porter, Robinson completed 10th grade but was barred from further education. He could afford only a wagon ride on his first trip to the Tuskegee Institute, where he would learn the engineering trades hundreds of miles away from home.

He persevered, after facing several rejections from America's leading aviation school, and eventually he worked as a janitor by day and studied aviation by night, graduating at the top of his class with flying colors.